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REMARKS

In paragraph 4 of the last office action, claims 12 and 13 are rejected for being obvious under 35USC103 based on the combined teachings of three U.S. patents. Those three patents are 6,449,739 (Landan), 6,449,653 (Klemets), and 5,812,780 (Chen).

Therefore, by the present amendment, claims 12 and 13 are modified to expressly recite additional points of distinction which make the claims non-obvious over the cited U.S. patents. The differences between claims 12 and 13 as modified, and the cited U.S. patents, will now be described.

First, consider claim 12 which recites "A method of testing a video server for a video-on-demand system". In the method of claim 12, the video server is tested by a sequence of output signals which are sent from a single computer to the video server, and this sequence of output signals is generated by particular steps that simply do not occur in the cited patents.

One step in claim 12 is to the "displaying" step wherein three types of items are displayed on a visual monitor that is connected to the single computer. These three items are a "pointer" for selecting any one of several simulated control terminals, the "current state" of the simulated control terminal that is selected by the pointer, and a "set of several control buttons".

Also in claim 12, all of the above items which are displayed in the visual monitor are used by an operator of the single computer to manually control, in real-time, the sequence of output signals that is sent to test the video server. This is done by the "changing" step, the "generating" step, the "updating" step, and the "repeating" step.

In the "changing" step, the operator uses the pointer and a mouse to select a particular one of the several simulated control terminals. Then the current state of that selected simulated control terminal is shown on the visual monitor by the

"displaying" step. This displayed current state enables the operator to decide what an appropriate next state will be for the selected simulated control terminal, and avoids the burden of having to remember all of the VCR-like commands that were previously sent. Then the operator uses the control buttons and the mouse to generate an output signal to the video server. The output signal identifies the selected simulated control terminal and identifies one particular control button which the operator clicked on with the mouse.

By repeating the changing, generating, and updating steps, the sequence of output signals is produced such that each output signal is preceded by a display of the current state of the selected simulated control terminal and the choosing of its next state by the operator. Thus the operator can alter the sequence of output signals, in real-time, as desired. For example, the operator can alter the sequence of output signals depending upon how well, or how badly, the testing of the video server is proceeding.

By comparison, in Landan, a system is disclosed wherein multiple "agent computers" simulate the actions of users of a "transactional server" according to pre-defined "execution schedules". In Fig. 1, the agent computers are all of the items 32, and the transactional server is item 30. The "execution schedules" which pre-define the user simulated actions are described on lines 44-47 of column 5, and lines 21-23 of column 6.

Since the execution schedules are pre-defined, they are inflexible in comparison to the command sequences which are selected in real-time as recited by claims 12. Also since each agent computer simulates the actions of only a single user, multiple agent computers are needed which makes the system too expensive.

Also by comparison, in Chen, a system is disclosed wherein the performance of a "server" is evaluated by a "single client computer" which uses "client profiles" to simulate the

actions of a "plurality of users". In Fig. 2, the server is item 30; the single client computer is item 26; and that single client computer simulates the actions of 200 users.

However, the simulation of each user requires a corresponding "client profile" which pre-defines the "nature, timing, and frequency" of the user activities. This is explained at lines 26-30 in column 4, and lines 54-58 in column 8. Since the client profiles are pre-defined, they are inflexible in comparison to the command sequences which are selected in real-time a recited by claims 12 and 13.

The only other cited patent is Klemets. But that patent merely discloses a video-on-demand system wherein multiple "client computers" are sent video streams from a "stream server". In Fig. 2, the multiple client computers are shown as item 240, and the stream server is shown as item 220. No method or apparatus is disclosed in Klemets for testing the stream server 220.

From the above analysis it is evident that five major differences exist between claim 12 and the cited patents. First, none of the cited patents store the current state of several simulated control terminals, as recited by the "storing" step. Second, none of the cited patents display the current state of the selected simulated control terminal, as recited by the "displaying" step. Third, none of the cited patents repeatedly perform the "changing" step, "generating" step, and "updating" step as recited in claim 12. Fourth, none of the cited patents produce a sequence of output signals in which each output signal is preceded by a display of the current state of the selected simulated control terminal and the choosing of the next state by the operator as recited by the repeating step. Fifth, in the cited patents the output signals which are produced to test the video server are all pre-defined and thus are too inflexible.

Based on the differences which have been pointed out above between claim 12 and the three cited U.S. patents, it is respectfully submitted that claim 12 is non-obvious. In

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addition, all of the steps in claim 12 which were described above are also recited in claim 13. So claim 13 also is non-obvious.

Accordingly, a request is hereby made for the rejection of claims 12 and 13 to be withdrawn and for a Notice of Allowance.

PLEASE SEND ALL FUTURE CORRESPONDENCE REGARDING THIS CASE TO THE UNDERSIGNED ATTORNEY AT THE ADDRESS GIVEN ON PAGE 1 OF THIS AMENDMENT.

Respectfully submitted,

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I certify that I faxed this document to the USPTO at fax number 1-571-273-8300 on the date shown below.

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